

Document #4780C

7/10/86

Document 4780C

MEMORANDUM

JULY 10, 1986

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: EDITH M. NETTER, ASSISTANT DIRECTOR FOR LAND USE
AND ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on twenty zoning petitions have been prepared by Authority staff for transmittal to the Board of Appeal.

Categories

Recommendations

	<u>Approval</u>	<u>Denial</u>	<u>Denial w/o Prejudice</u>	<u>Deferral</u>
Residential conversions	6	1		
New housing or rehabilitation	2			
Residential (building expansions, subdivisions, etc.)	4			
Parking; gas stations; repair garages				
Industrial; chemical storage				
Institutional				
Commercial; office; business	4		1	1
Hotels; restaurants				
Signs	1			

We recommend approval of six residential conversions:

Z-8831/ 12-16 Peaceable Street, Brighton. Six apartments.
8833.

Z-8840. 20 Chelsea Street, East Boston. Four apartments.

Z-8841. 106 Rosseter Street, Dorchester. Three apartments.

Z-8852/ 56 Parker Hill Avenue and 197 Calumet Street, Roxbury. Legalize
8853. two apartments.

Z-8826. 43R Rockland Street, West Roxbury. One family dwelling.

Z-8854. 645 East Second Street, South Boston. Three apartments.

We recommend approval of two new housing-rehabilitation referrals:

Z-8749. 1 Meadow Road, Hyde Park. One family dwelling.

Z-8851. 2-4 Port Norfolk Street, Dorchester. Two family dwelling.

We recommend approval of four residential building expansion-subdivision referrals:

- Z-8823. 416 Baker Street, West Roxbury. Family rooms.
- Z-8842. 125 Ashley Street, East Boston. Family room addition.
- Z-8855. 5 Pacific Street, South Boston. Rear decks.
- Z-8839. 456 Pond Street, Jamaica Plain. Stockade fence.

We recommend approval of five commercial, office, business referrals:

- Z-8858. 667 East Broadway, South Boston. Fish store-restaurant.
- Z-8863. 10-12 Marsh Street, Dorchester. Additions to _____ shop.
- Z-8867. 6-10 Murray Hill Road, Roslindale. Storage addition.
- Z-8804. 326 Cambridge Street, Boston. Office-retail structure.

We recommend approval of one sign referral:

- Z-8835. 330 Brookline Avenue, Boston. Hospital logo sign.

We recommend deferral of one referral:

- Z-8836. 7 Shelby Street, East Boston. Review with community.

We recommend denial of one referral:

- Z-8846. 53 Warren Avenue, Boston. Inadequate off-street parking.

We recommend denial without prejudice of one referral:

- Z-8837. 282-286 Bennington Street, East Boston. Submit parking plan.

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JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 7/15/86 Z-8749
Richard Gaglio
1 Meadow Road
Hyde Park

Site: Vacant land

District(s): Single-family (S-.5)

Purpose: Erect one-family dwelling.

Violation(s): Insufficient rear yard.

VOTED: In reference to petition Z-8749, Richard Gaglio,
1 Meadow Road, Hyde Park, for variance to erect
one-family dwelling in a single-family (S-.5)
district, the Boston Redevelopment Authority
recommends approval. Proposal is consistent with
and retains residential character of surrounding
neighborhood.

Z-8749 MEADOW ROAD HYDE PARK



Z-8749

1 MEADOW ROAD

HYDE PARK

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8804
COB Trust
326 Cambridge Street
Boston

Site: Vacant land

District(s): Local business (L-2)

Purpose: Erect six-story office-retail structure.

Violation(s): Insufficient off-street loading.

VOTED: In reference to petition Z-8804, COB Trust, 326 Cambridge Street, Boston, for variance to erect six-story office-retail structure in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that provisos of Board of Appeal decision BZC#7707, August 13, 1985, remain in effect; that plans be submitted to the Authority for design review approval. Structure was approved by the Board of Appeal last August after an agreement between appellant and community. Off-street loading violation was inadvertently omitted at that time. Height of building will not exceed fifty-five feet.

Z-8804

326 CAMBRIDGE STREET

BOSTON



Board of Appeal Referrals

7/10/86

Hearing: 7/15/86

Z-8823
George C. Eliopoulos
416 Baker Street
West Roxbury

Site: 2½-Story structure

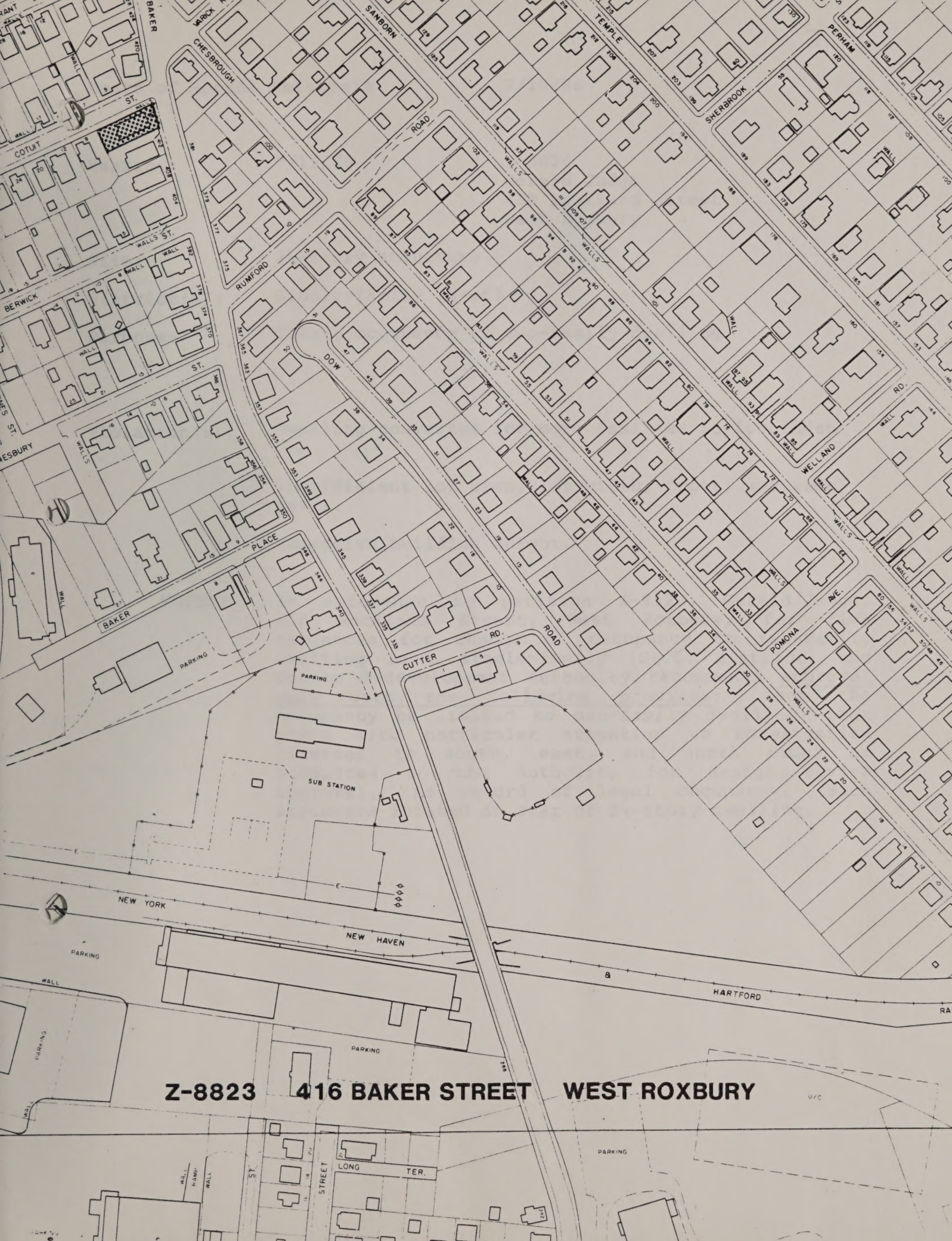
District(s): Single-family (S-.5)

Purpose: Erect two-family and two storage rooms in basement of two-family dwelling.

Violation(s): Extension of nonconforming use.

VOTED: In reference to petition Z-8823, George C. Eliopoulos, 416 Baker Street, West Roxbury, for extension of nonconforming use to erect two family rooms and two storage rooms in basement of two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that the structure be occupied only as a single-family residence. Construction of three family rooms in basement.

Z-8823 416 BAKER STREET WEST ROXBURY



Z-8823

416 BAKER STREET

WEST ROXBURY

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8826
Gerald Judge
43R Rockland Street
West Roxbury

Site: 2½-Story structure

District(s): Single-family (S-.5)

Purpose: Change occupancy to two-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area, lot width, front, and side yards.

Excessive building height.

VOTED: In reference to petition Z-8826, Gerald Judge, 43R Rockland Street, West Roxbury, for five variances for change of occupancy to two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval only with the following provisos: that the occupancy be limited to one-family dwelling; that plans with particular attention to fenestration (limited to south, east, and north side) be submitted to the Authority for design review approval. No record of legal occupancy. Barn structure located in rear of 2½-story dwelling.

Z-8826 43R ROCKLAND STREET WEST ROXBURY



Z-8826 43r ROCKLAND STREET WEST ROXBURY

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8831-8833
Paul J. Sulla, Jr.
12-16 Peaceable Street
Brighton

Site: 2½-Story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from one- to two-family dwelling;
legalize occupancy for six apartments; use premises
for ancillary parking; erect dormer and roof deck
additions.

Violation(s): Dwelling converted for more families is forbidden
use.

Ancillary parking is conditional use.

Off-street parking is not allowed within required
front yard nor within five feet of side lot line.

Insufficient lot area, open space, side, rear
yards, and off-street parking.

Excessive floor area ratio.

VOTED: In reference to petitions Z-8831-8833,
Paul J. Sulla, Jr., 12-16 Peaceable Street,
Brighton, for two forbidden uses, conditional
use, eleven variances for change of occupancy
from one- to two-family dwelling, legalize occupancy
for six apartments, and use premises for ancillary
parking; erect dormer and roof deck additions
in a residential (R-.8) district, the Boston
Redevelopment Authority recommends approval with
the following provisos: that plans be submitted
to the Authority for design review approval; that
basement units comply with Inspectional Services
Commissioner's Bulletin 85-1, September 25, 1985,
with respect to basement apartments. Ancillary
parking will accommodate residents of 16 Peaceable.



Z-8831-8833

12-16 PEACEABLE STREET BRIGHTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86

Z-8835
Beth Israel Hospital
330 Brookline Avenue
Boston

Site: Eight-story structure

District(s): Apartment (H-3)

Purpose: Install wall sign.

Violation(s): Height of sign is excessive.

VOTED: In reference to petition Z-8835, Beth Israel Hospital, 330 Brookline Avenue, Boston, for conditional use to erect wall sign in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for comprehensive sign design review. Single-faces illuminated wall sign will display hospital logo.

Z-8835 330 BROOKLINE AVE BOSTON



Z-8835 330 BROOKLINE AVE. BOSTON

HARVARD
MEDICAL
SCHOOL

HARVARD
UNIVERSITY
MEDICAL
SCHOOL

ANGELL
MEMORIAL
ANIMAL HOSPITAL

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8836
James Rosatto
7 Shelby Street
East Boston

Site: Two-story structure

District(s): Apartment (H-1)

Purpose: Change occupancy from garage and club room to garage, storage, and offices.

Violation(s): Change in nonconforming use.

VOTED: In reference to petition Z-8836, James Rosatto, 7 Shelby Street, East Boston, for change in nonconforming use for change of occupancy from garage and club room to garage, storage, and offices in an apartment (H-1) district, the Boston Redevelopment Authority recommends deferral of hearing. The site is located in an H-1 zoning district but has been a commercial use since 1924. It was first constructed as a garage for four cars and then as a club room and garage. A change of nonconforming use of this nature and in this location requires neighborhood comment. This application should be deferred until such time that the applicant can present his proposal to his neighbors.



Z-8836

7 SHELBY STREET

EAST BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8837
Louie Roberto
282-286 Bennington Street
East Boston

Site: One-story structure

District(s): General business (B-1)

Purpose: Erect one-story interior addition to retail store-bakery structure.

Violation(s): Excessive floor area ratio.
Insufficient rear yard and off-street parking.

VOTED: In reference to petition Z-8837, Louie Roberto, 282-286 Bennington Street, East Boston, for three variances to erect one-story interior addition to retail store-bakery structure in a general business (B-1) district, the Boston Redevelopment Authority recommends denial without prejudice. Applicant must submit a parking plan to the BRA and the City Transportation Department providing 16 spaces of off-street parking to fill the anticipated parking demand from the proposed office and function room addition.

Day Square is an extremely congested commercial area in East Boston. Because of the lack of adequate parking and irregular traffic flow patterns, the Square has become a very dangerous place for both the pedestrian and vehicle.

It is essential that continued growth not destroy the pedestrian and neighborhood-oriented (vital) commercial center that this area has become. The City's Transportation Department has targeted Day Square as one of the traffic-troubled areas in East Boston for future rehabilitation to improve the traffic and parking situation. However, a Day Square redesign is expected to reduce the available parking spaces in order to realign the traffic flows. Because of future growth and parking and traffic mitigating measures, it has become necessary for merchants and building owners to begin to provide parking for employees, renters, and customers. Therefore, approval of the proposed addition of approximately 4,300 square feet should necessitate an off-street parking plan for 16 spaces: 10 spaces for the office space and 6 spaces for the function room as stipulated by Boston's Zoning Code.



Z-8837

282-286 BENNINGTON STREET EAST BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8839
Margery Stegman & William Bloomfield
456 Pond Street
Jamaica Plain

Site: 2½-Story structure

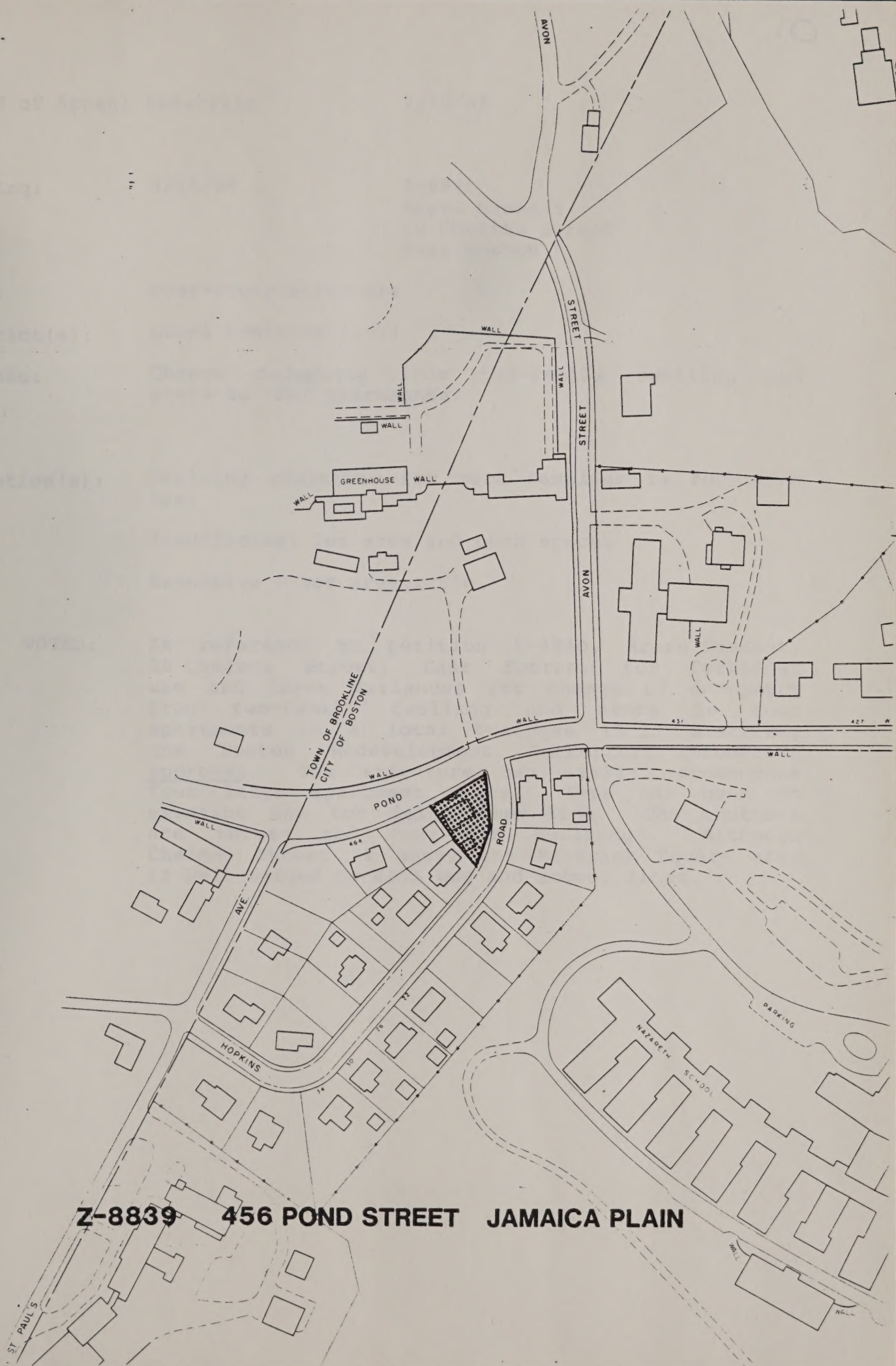
District(s): Single-family (S-.3)

Purpose: Erect eight foot wooden fence on right side of
one-family dwelling.

Violation(s): Insufficient front, side, and rear yards.

VOTED: In reference to petition Z-8839, Margery Stegman & William Bloomfield, 456 Pond Street, Jamaica Plain, for three variances to erect eight foot wooden fence on right side of one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval only with the following proviso: that appellant meet with Pond Street abutter to resolve height concern. Wood stockade fence.

Z-8839 456 POND STREET JAMAICA PLAIN



Z-8839

456 POND STREET

JAMAICA PLAIN

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8840
Arard Bassant
20 Chelsea Street
East Boston

Site: Four-story structure

District(s): Local business (L-1)

Purpose: Change occupancy from two-family dwelling and store to four apartments.

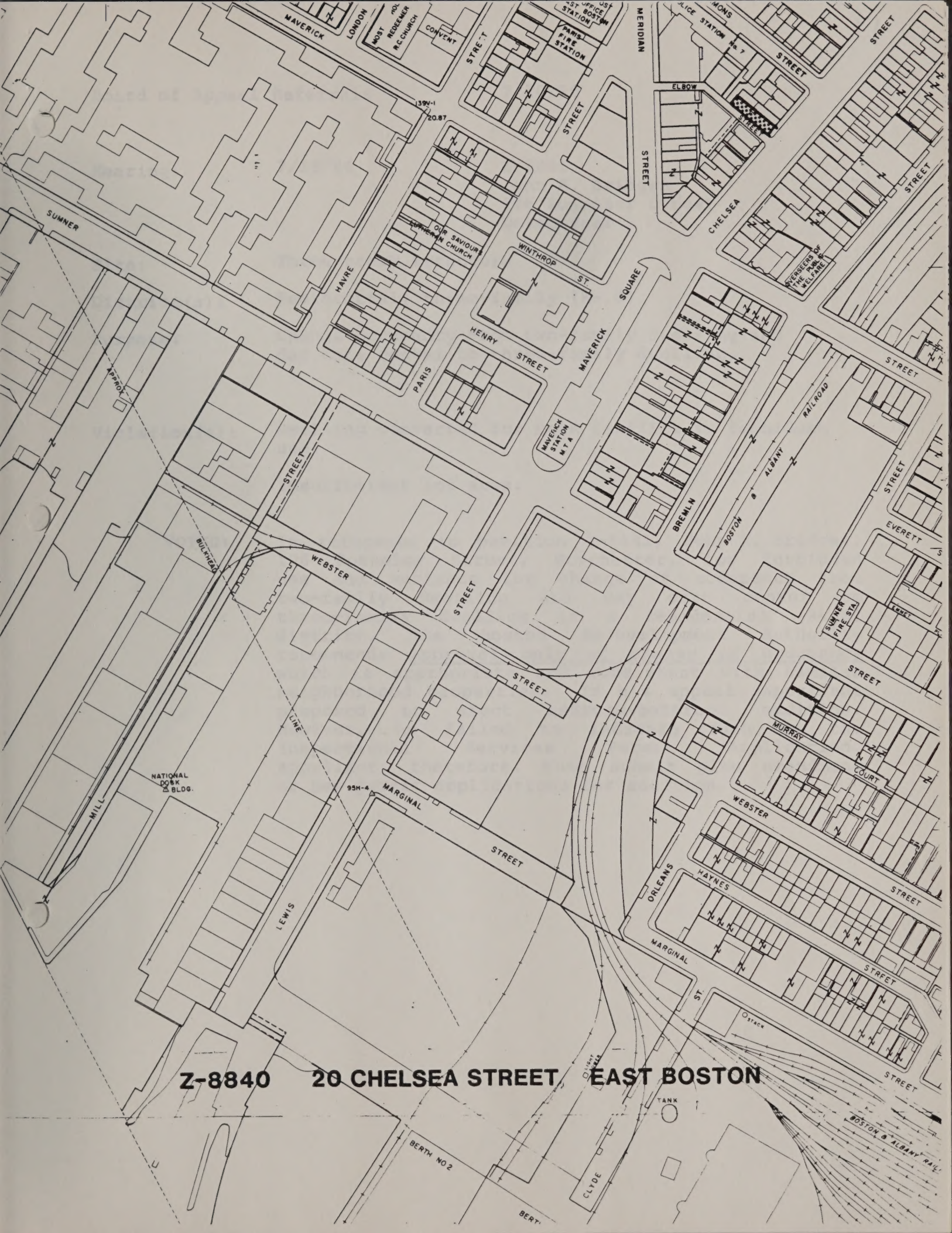
Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petition Z-8840, Arard Bassant, 20 Chelsea Street, East Boston, for forbidden use and three variances for change of occupancy from two-family dwelling and store to four apartments in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The structure can easily accommodate four large apartment units. This has been an existing use for quite some time. The abutters are three- and four-unit buildings. Although Chelsea Street is busy, the Maverick Square area is well served by MBTA bus and subway lines.

Z-8840 20 CHELSEA STREET EAST BOSTON



Z-8840

20 CHELSEA STREET

EAST BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8841
John A. Bridges
106 Rosseter Street
Dorchester

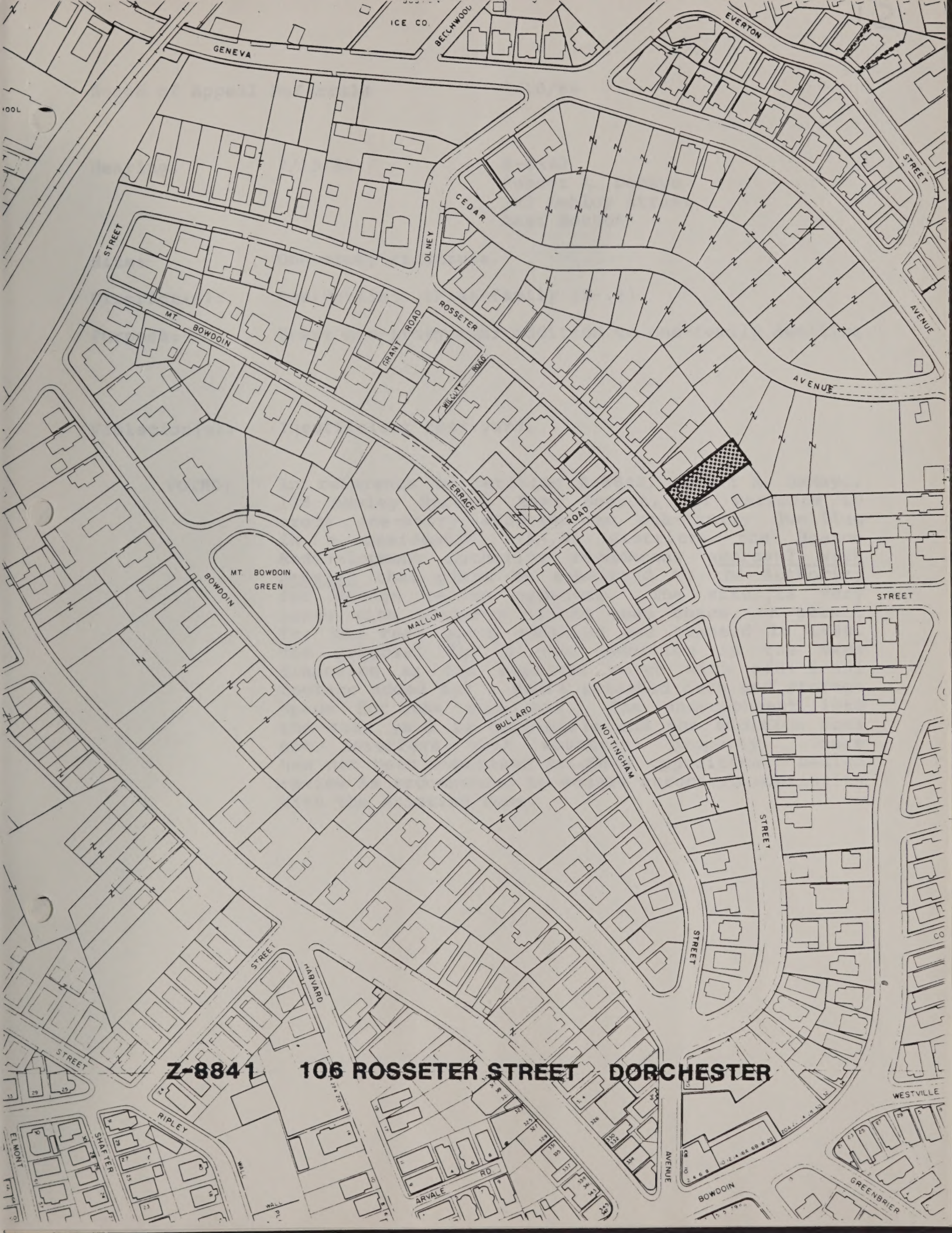
Site: Three-story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from two-family dwelling and
day care center to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden
use.
Insufficient lot area.

VOTED: In reference to petition Z-8841, John A. Bridges,
106 Rosseter Street, Dorchester, for forbidden
use and variance for change of occupancy from
two-family dwelling and day care center to
three-family dwelling in a residential (R-.8)
district, the Boston Redevelopment Authority
recommends approval only of change of occupancy
which is appropriate and consistent with similar
neighborhood properties. In his appeal, appellant
proposed to erect bedroom-bathroom addition.
However, he failed to indicate such on the
Inspectional Services Permit Application.
Appellant, therefore, must submit plan amendment
or new permit applications for addition.



Z-8841

106 ROSSETER STREET

DORCHESTER

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8842
Robert A. DeMayo
125 Ashley Street
East Boston

Site: One-story structure

District(s): Residential, three-family (R-.8)

Purpose: Erect one-story rear addition to one-family dwelling.

Violation(s): Insufficient rear yard.

VOTED: In reference to petition Z-8842, Robert A. DeMayo, 125 Ashley Street, East Boston, for variance to erect one-story addition to one-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. The site is very large with adequate usable open space. A permit for the rear porch addition was granted in 1980. The proposal for a rear addition is the same dimension as the approved porch with additional footage added for a small attached deck and storage space for the appellant. The encroachment into the rear yard is negligible and the addition does not interfere with abutters' property. There has not been expressed neighbor opposition. Design review is recommended to ensure structure continuity with the existing home.

Z-8842 125 ASHLEY STREET EAST BOSTON



Z-8842

125 ASHLEY STREET EAST BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8846
Steven Gangi
53 Warren Avenue
Boston

Site: Four-story structure

District(s): Apartment (H-3)

Purpose: Change occupancy from three- to four-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.
Excessive floor area ratio.
Insufficient open space.

VOTED: In reference to petition Z-8846, Steven Gangi, 53 Warren Avenue, Boston, for forbidden use and two variances for change of occupancy from three- to four-family dwelling in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial. Increased density is inappropriate particularly without adequate off-street parking.



Z-8846 53 WARREN AVENUE BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8851
Ronald MacGillvray
2-4 Port Norfolk Street
Dorchester

Site: 4,977 Square feet of land

District(s): Residential, two-family (R-.5)

Purpose: Erect two-family duplex dwelling.

Violation(s): Off-street parking not allowed within required
front yard nor within five feet of side lot line.

Insufficient lot area, front, and rear yards.

VOTED: In reference to petition Z-8851, Ronald MacGillvray,
2-4 Port Norfolk Street, Dorchester, for six
variances to erect two-family duplex dwelling
in a residential (R-.5) district, the Boston
Redevelopment Authority recommends approval with
proviso that plans with particular attention to
building location, parking, and landscaping be
submitted to the Authority for design review
approval. Development is consistent with one-
and two-family properties in neighborhood which
indicates no opposition.

Z-8851

2-4 PORT NORFOLK STREET

DORCHESTER



Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8852-8853
Ronald Chapman
256 Parker Hill Avenue &
197 Calumet Street
Roxbury

Site: Three-story structures

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy of two structures from 15 to
16 apartments.

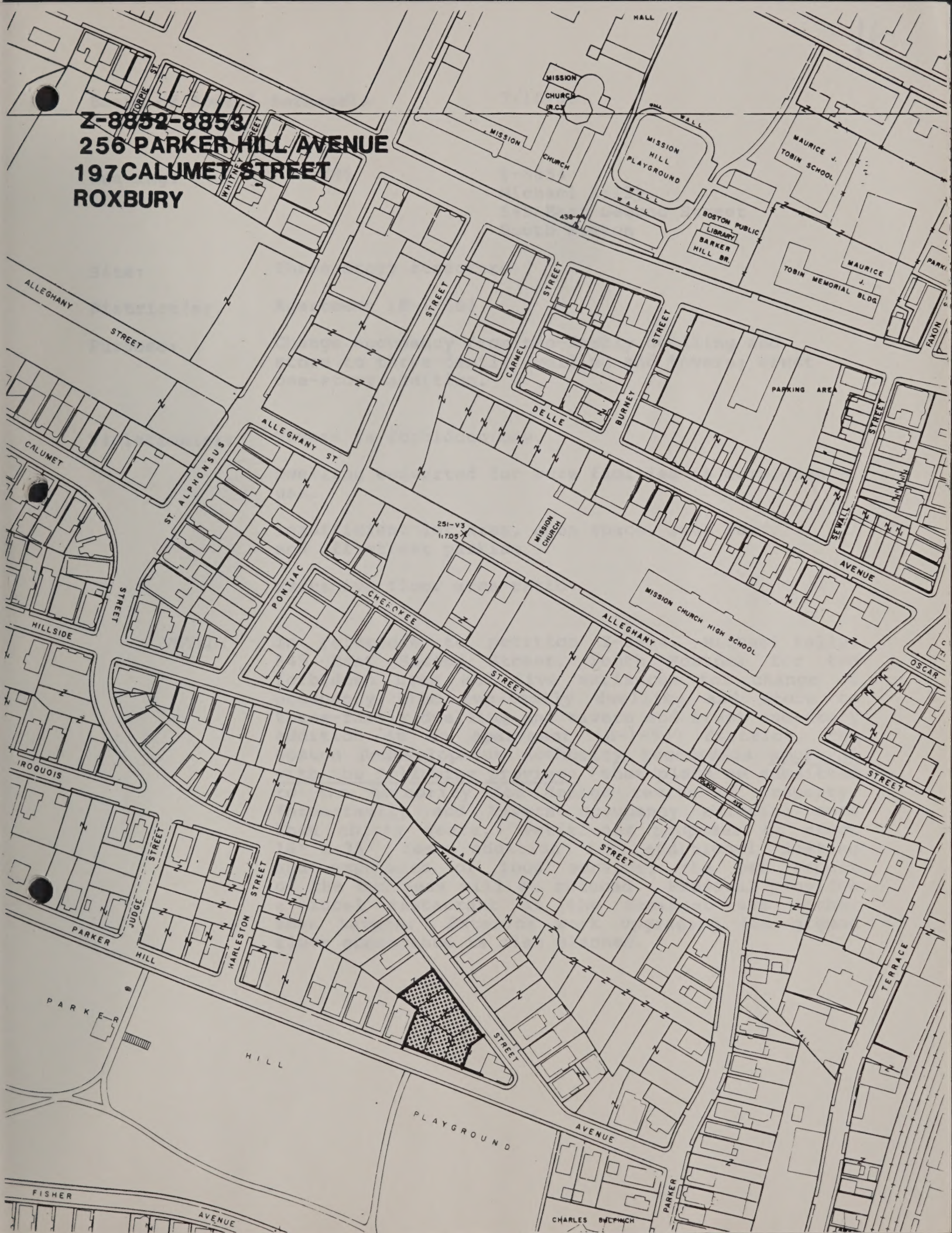
Violation(s): Dwelling converted for more families is forbidden
use.

Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petitions Z-8852-8853,
Ronald Chapman, 256 Parker Hill Avenue & 197 Calumet
Street, for two forbidden uses and six variances
for change of occupancy for two structures from
fifteen to sixteen apartments in a residential
(R-.8) district, the Boston Redevelopment Authority
recommends approval. Existing condition for many
years.

Z-8852-8853
256 PARKER HILL AVENUE
197 CALUMET STREET
ROXBURY



Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8854
Michael Kelly
645 East Second Street
South Boston

Site: Three-story structure

District(s): Apartment (H-1-50)

Purpose: Change occupancy from two-family dwelling and store to three-family dwelling and tavern; erect one-story addition.

Violation(s): Tavern is forbidden use.

Dwelling converted for more families is forbidden use.

Insufficient lot area, open space, rear yard, and off-street parking.

Excessive floor area ratio.

VOTED: In reference to petition Z-8854, Michael Kelly, 645 East Second Street, South Boston, for two forbidden uses and five variances for change of occupancy from two-family dwelling and store to three-family dwelling and tavern and erect one-story addition in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review of property. Three-family and tavern occupancy existing more than thirty years. Petitioner proposes to erect 18' x 35' rear addition for additional seating and expansion of food service; the bar aspect of the business will be reduced. Proposal provides a local restaurant as the dominant use rather than tavern. Exterior work upgrading the ground floor appearance is also planned.

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8855
Louis N. Cavagnaro, Jr.
5 Pacific Street
South Boston

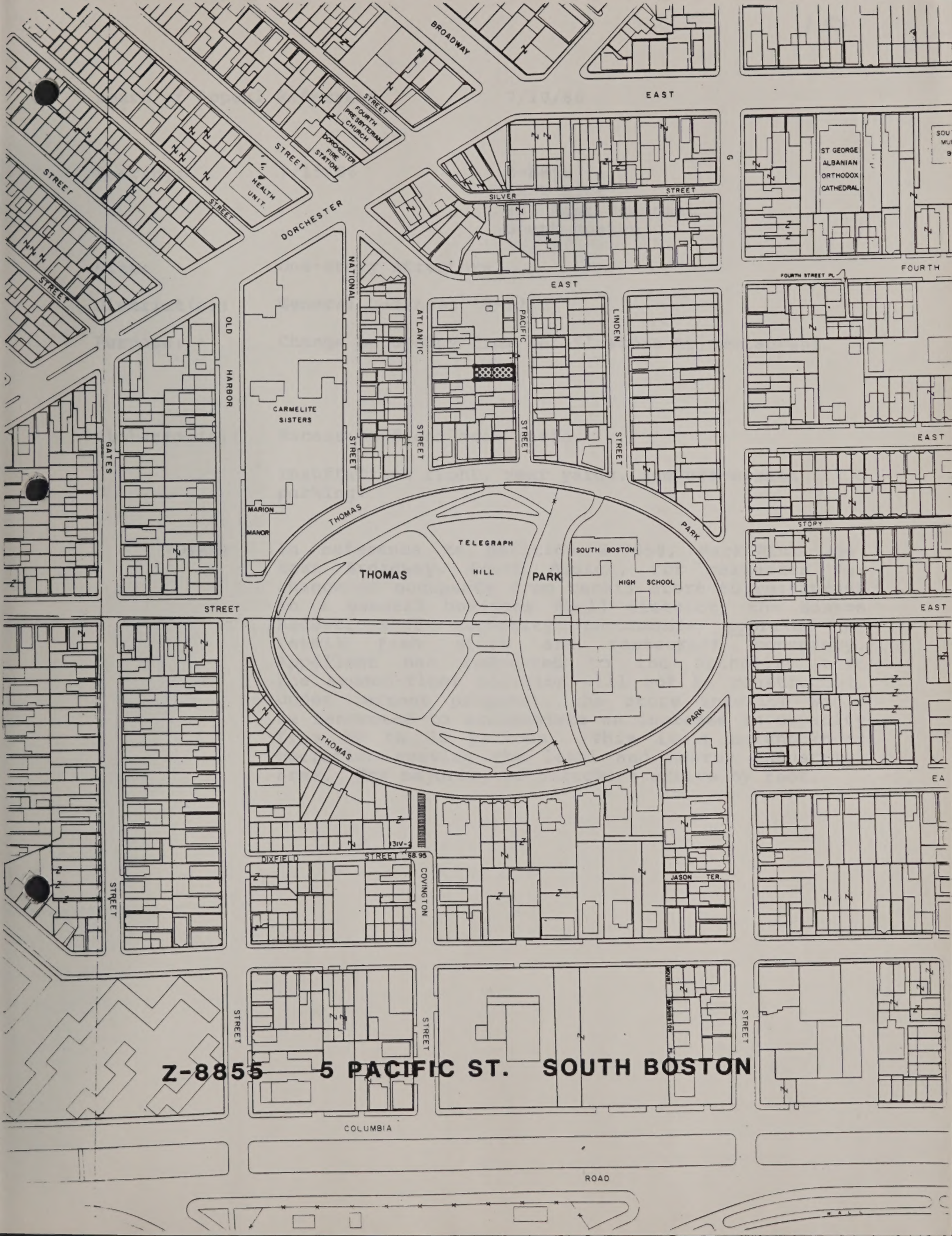
Site: Four-story structure

District(s): Apartment (H-1-50)

Purpose: Erect two rear deck additions to three-family dwelling.

Violation(s): Insufficient open space.

VOTED: In reference to petition Z-8855, Louis N. Cavagnaro, Jr., for variance to erect two deck additions to three-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. The petitioner seeks to erect two decks in the rear of the structure. The petitioner was before the Board of Appeal on March 4, 1986, to legalize the occupancy as a three-family dwelling. The appeal was approved at that time. Now, as a way to conform with the secondary means of egress for the second and third units, the petitioner proposes to erect rear decks on the second and third floors with stairs leading down to the rear yard. These decks would also provide some private open space for the units involved. There is a 28' rear yard so that by building a 14' x 18' deck, there would still be a 14.5' area between the deck edge and the rear property line.



Z-8855 5 PACIFIC ST. SOUTH BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8858
Mark Rick
667 East Broadway
South Boston

Site: One-story structure

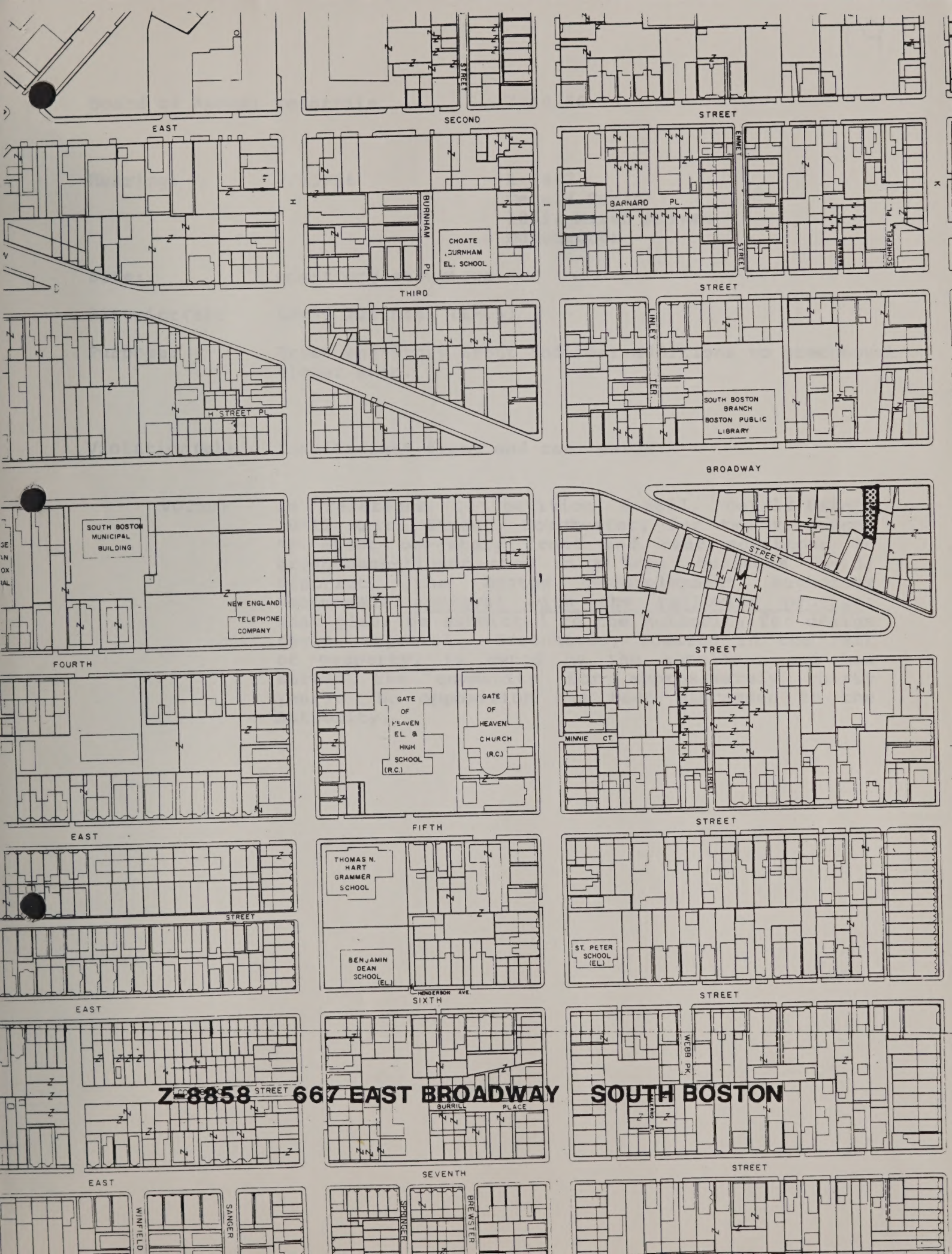
District(s): General business (B-1)

Purpose: Change occupancy from retail store to restaurant.

Violation(s): Excessive floor area ratio.

Insufficient front, rear yards, and off-street parking.

VOTED: In reference to petition Z-8858, Mark Rick, 667 East Broadway, South Boston, for variances for change of occupancy from retail store to restaurant in a general business (B-1) district, the Boston Redevelopment Authority recommends approval of retail fish store and restaurant occupancy. Appellant has indicated to the Authority that the second-floor addition will not be constructed. Under current proposal, the store interior would be renovated to accommodate an increase in capacity from 30 to 50 patrons. This is a neighborhood operation serving the local and nearby industrial area. The majority of customers arrive by foot.



Z-8858

667 EAST BROADWAY

SOUTH BOSTON

Board of Appeal Referrals

7/10/86

Hearing: 7/15/86 Z-8863
Gerald Haran
10-12 Marsh Street
Dorchester

Site: One-story structure

District(s): Local business (L-.5)

Purpose: Erect one-story front and rear additions to greenhouse-flower shop.

Violation(s): Insufficient front and rear yards.

VOTED: In reference to petition Z-8863, Gerald Haran, 10-12 Marsh Street, Dorchester, for two variances to erect one-story front and rear additions to greenhouse-flower shop in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Greenhouse, located in the rear of property, is owned by the appellant and has served the community for approximately thirty years. No opposition has been expressed to the Authority.

Z-8863 10-12 MARSH STREET DORCHESTER



Z-8863 10-12 MARSH STREET DORCHESTER

Hearing: 7/15/86 Z-8867
Robert L. Norberg
6-10 Murray Hill Road
Roslindale

Site: One-story structure

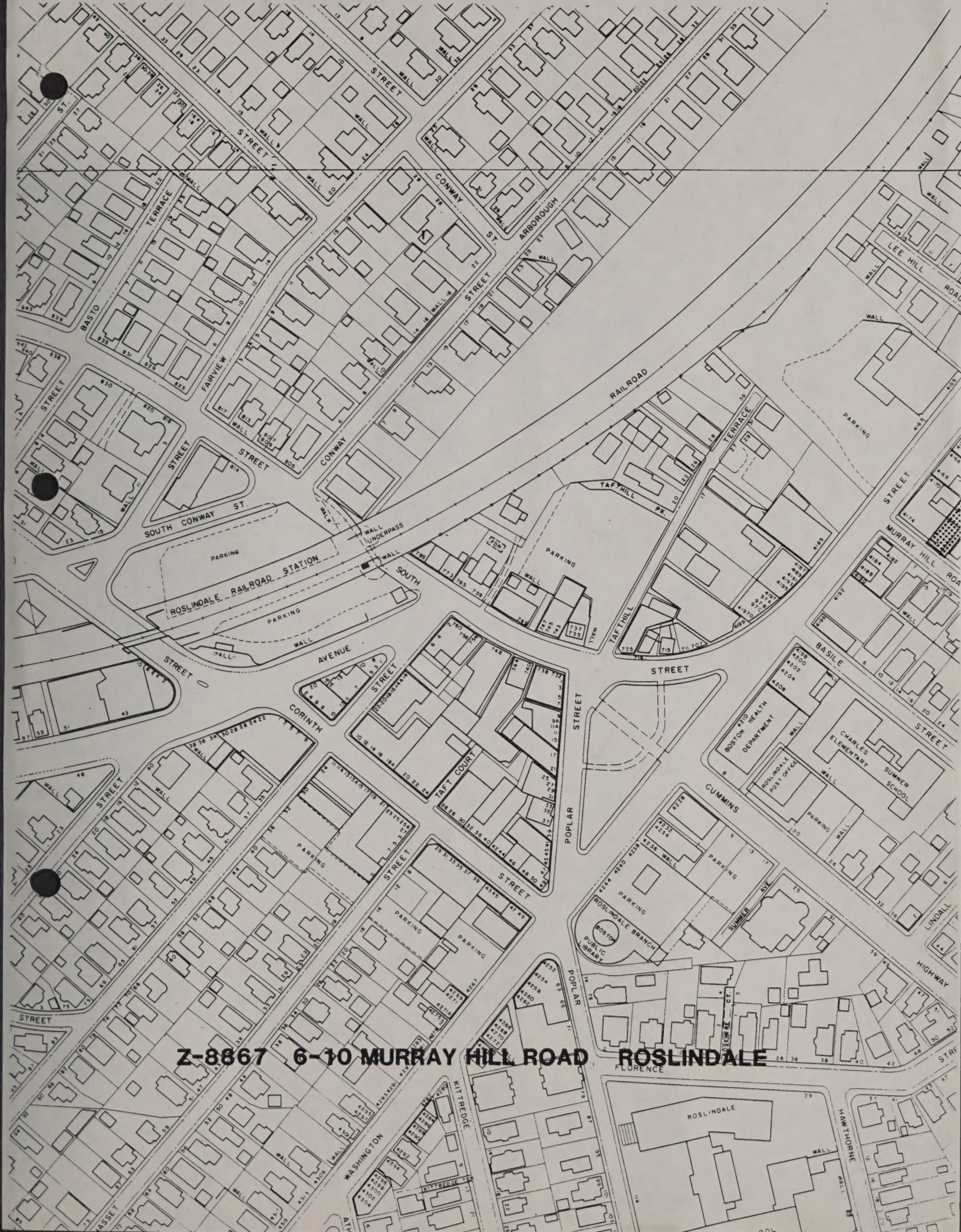
District(s): Local business (L-.5)

Purpose: Erect one-story addition to wood working shop.

Violation(s): Excessive floor area ratio.

Insufficient front, rear yards, and off-street parking.

VOTED: In reference to petition Z-8867, Robert L. Norbert, 6-10 Murray Hill Road, Roslindale, for four variances to erect one-story addition to wood working shop in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. The repair shop occupancy went along with the auto body shop that once occupied the premises some 20 years ago. For the past 15 years, the cabinet shop has occupied the premises. Also, the proposal is to erect a second-story addition to the end of the structure on Murray Hill Road for the purpose of storing cabinets. Off-site locations are now used for this storage. The addition will allow the centralization of the cabinet shop's operations. No expansion of the operation is planned so that there is no negative impact anticipated on the neighborhood.



Z-8867 6-10 MURRAY HILL ROAD ROSLINDALE